

**FILED**

SEP 11 2014

Clerk, U.S. District Court  
District Of Montana  
Helena

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF MONTANA**  
**BILLINGS DIVISION**

MICHAEL JEFFREY ANDERSON,

Petitioner,

vs.

JAMES BRILZ, et al.,

Respondents.

CV-13-84-BLG-SEH

**ORDER**

On August 18, 2014, Magistrate Judge Carolyn S. Ostby issued her Findings and Recommendation directed to Petitioner's application for a writ of habeus corpus under 28 U.S.C. § 2254.<sup>1</sup> Objections were filed by Petitioner on September 2, 2014.<sup>2</sup> The Court reviews *de novo* findings and recommendations to which objection is made. 28 U.S.C. § 636(b).

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<sup>1</sup> (Doc. 18.)

<sup>2</sup> (Doc. 19.)

Upon *de novo* review of the record, I find no error in Judge Ostby's Findings and Recommendation and adopt them in full.

ORDERED:

1. The Petition<sup>3</sup> is DISMISSED WITH PREJUDICE as time-barred.
2. The Clerk of Court is directed to enter by separate document judgment in favor of Respondents and against Petitioner.
3. A certificate of appealability is DENIED. Anderson's claims do not appear to be substantial and the procedural ruling is not subject to dispute.

DATED this 11<sup>th</sup> day of September, 2014.

  
SAM E. HADDON  
United States District Judge

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<sup>3</sup> (Doc. 1.)